



MATTHEW L. SCHWARTZ
Tel.: (212) 303-3646
E-mail: mlschwartz@bsfllp.com

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BY ECF

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *City of Almaty, Kazakhstan, et ano. v. Felix Sater, et al.*,
Case No. 19 Civ. 2645 (JGK) (KHP)

Dear Judge Koeltl:

We represent plaintiffs the City of Almaty, Kazakhstan and BTA Bank. We write in response to the Court's order dated May 5, 2022, asking the parties to provide the Court with the most recent scheduling order in this case.

A scheduling order was originally entered on June 6, 2019, following an Initial Case Management Conference before Judge Parker. [ECF No. 41.] A copy of that order is attached.

The Court has not entered any subsequent comprehensive scheduling orders, but it has extended the close of fact discovery several times. Most recently, during a conference held on March 24, 2022, Magistrate Judge Parker granted a request by defendant Felix Sater to extend the date for fact discovery to June 22, 2022. [ECF No. 377].

While Plaintiffs have made diligent efforts to complete fact discovery, there are outstanding issues that may necessitate a request for at least a limited extension of the June 22 deadline. For example, we were recently informed by the courts in Switzerland that two key depositions that were scheduled to take place in Switzerland beginning May 18, 2022, pursuant to the Hague Convention have been adjourned. While no new date has been set, we are informed that it is unlikely the depositions will take place prior to the Swiss court's summer recess. Assuming that is correct, it will be necessary (with this Court's permission, of course) to permit at least that discovery to take place after the current June 22 cut-off date.

The parties are available to provide any other information the Court may need.

Respectfully,

/s/ Matthew L. Schwartz
Matthew L. Schwartz

BOIES SCHILLER FLEXNER LLP